REMARKS

Claims 1-29 are pending in this application. In the Office Action, claims 1-3, 5-7, 10-11, and 21-24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,216,129 (Eldering) in view of U.S. Patent No. 5,724,521 (Dedrick); claims 4, 8-9, and 25 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Eldering in view of Dedrick and further in view of Paramount's King Island Water and Theme Park ("KingsDominion"); claim 12 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Eldering in view of Dedrick and further in view of U.S. Patent No. 6,112,181 (Shear et al.); claims 13-20 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Eldering in view of Dedrick and further in view of Shear et al. and KingsDominion; and claims 26-29 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the web site "www.pointcast.com" ("PointCast") in view of Eldering.

By this amendment, Applicant has amended claims 1, 13, 17, 21, and 26 to clarify some of the claimed features. No new matter is believed added by these amendments. Since each of the features was present in the claims originally presented, Applicant submits that these amendments do not narrow the claims. Reconsideration in view of the following remarks is respectfully requested.

I. REJECTION OF CLAIMS 1-3, 5-7, 10-11, AND 21-24

The Office rejected claims 1-3, 5-7, 10-11, and 21-24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Eldering in view of Dedrick. Since all of the claimed features

are not found in Eldering and Dedrick, Applicant respectfully requests withdrawal of this rejection.

In particular, the Office alleges that Eldering discloses "collecting user data from users of a plurality of websites" and "separately storing the collected user data for each website." In support of this conclusion, the Office states that Eldering discloses receiving data from a point of purchase, and storing the information in linked tables in a relational database. Even if true, Eldering fails to disclose all the features of the claimed invention.

The claimed invention states that the collected user data for each website is **separately stored**. Eldering neither expressly nor inherently discloses separately storing data collected from a plurality of websites. In Eldering, a plurality of point of purchase records provide data that is used to compile a single consumer profile. Col. 10, lines 26-37. As a result, insofar as Eldering can be used to anticipate collecting data from a plurality of websites, it expressly teaches that the data collected is combined into a single consumer profile. In sharp contrast, the claimed invention stores the collected data separately. This feature allows a publisher for each website to send messages to a group of users selected only from the users of the publisher's website.

For example, in the claimed invention, a user's data may be collected for two websites (A and B). In this situation, the collected information for the user is stored twice, once for each website. Subsequently, the message builder accesses the information for the appropriate website to determine if a message should be delivered. Consequently, when the message builder builds a message for website A, the data collected from website A is accessed, and the data collected from website B is not used. The data collected from website B is only used for messages for website B. In contrast, Eldering clearly discloses only a single consumer profile for each consumer.

Using Eldering, the collected data would be compiled into a single consumer profile that would be subsequently accessed for website A and website B. This interpretation is further supported by Eldering's discussion with reference to FIG. 1B, in which the consumer maintains his/her consumer profile.

Further, on page 3 of the Office Action, the Office acknowledges that "Eldering does not disclose [a] publisher interface." Since Eldering fails to disclose a publisher interface, Eldering cannot disclose a publisher interface that includes one or more features. However, the Office apparently cites Eldering as allegedly disclosing a publisher interface that includes a scheduling mechanism. (This feature is not discussed in this rejection, but see discussion on page 10 of the Office Action with reference to claims 26-29.) By the Office's own admission, Eldering cannot disclose this feature. With regard to Dedrick, the Office cites Dedrick as allegedly disclosing the claimed publisher interface. The Office cites the abstract of Dedrick and a single sentence in Dedrick as allegedly disclosing all of the claimed features of the publisher interface. The cited portions of Dedrick fail to expressly or impliedly disclose a publisher interface in which **a template is selected from a plurality of templates**, or a time for delivery is designated. Further, Applicant is unable to find any discussion of either of these features in any portion of Dedrick. As a result, Applicant respectfully submits that Dedrick fails to disclose at least these two features of the claimed invention.

Since Eldering and Dedrick fail to disclose all of the claimed features, Applicant respectfully requests withdrawal of the rejection of claims 1-3, 5-7, 10-11, and 21-24 under 35 U.S.C. § 103(a).

II. REJECTION OF CLAIMS 4, 8-9, AND 25

The Office rejected claims 4, 8-9, and 25 under 35 U.S.C. § 103(a) as allegedly being

unpatentable over Eldering in view of Dedrick and further in view of KingsDominion. The

Office relies on the previous rejection in support of this conclusion. As a result, Applicant herein

incorporates the arguments presented above in response to this rejection. Since all of the claimed

features are not found in Eldering, Dedrick, and KingsDominion, Applicant respectfully requests

withdrawal of the rejection of claims 4, 8-9, and 25 under 35 U.S.C. § 103(a).

III. REJECTION OF CLAIM 12

The Office rejected claim 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable

over Eldering in view of Dedrick and further in view of Shear et al. The Office relies on the

previous rejection of claim 1 in support of this conclusion. As a result, Applicant herein

incorporates the arguments presented above in response to this rejection. Since all of the claimed

features are not found in Eldering, Dedrick, and Shear et al., Applicant respectfully requests

withdrawal of the rejection of claim 12 under 35 U.S.C. § 103(a).

IV. REJECTION OF CLAIMS 13-20

The Office rejected claims 13-20 under 35 U.S.C. § 103(a) as allegedly being

unpatentable over Eldering in view of Dedrick and further in view of Shear et al. and

KingsDominion. The Office refers to the previous rejections in support of this conclusion. As a

result, Applicant herein incorporates the arguments presented above in response to these

rejections. Since all of the claimed features are not found in Eldering, Dedrick, Shear et al., and

KingsDominion, Applicant respectfully requests withdrawal of the rejection of claims 13-20 under 35 U.S.C. § 103(a).

V. REJECTION OF CLAIMS 26-29

The Office rejected claims 26-29 under 35 U.S.C. § 103(a) as allegedly being unpatentable over PointCast in view of Eldering. Since all of the claimed features are not found in PointCast and Eldering, Applicant respectfully requests withdrawal of this rejection.
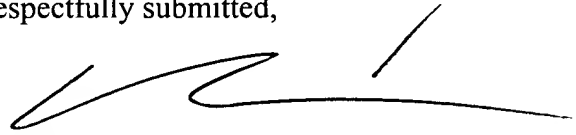
In particular, the Office alleges that PointCast discloses selecting a template from a plurality of templates, and inputting information and designating news details, including selecting a title, entering story content, and selecting target recipient criteria. However, Applicant notes that PointCast only states that it includes a tool to "[m]ake sure important company news is widely seen and read by broadcasting it directly to employees' desktops..." PointCast does not disclose selecting a template from a plurality of templates, or selecting a title. Further, PointCast does not disclose selecting a target recipient criteria from demographic information collected from a group of possible recipients. With further respect to claim 29, PointCast does not disclose accessing an advertising window and selecting advertisements to accompany the story. In the brief discussion regarding the tools for customizing PointCast, there is no mention of the ability to select advertisements at all, let alone selecting an advertisement to accompany a particular story.

Since PointCast and Eldering fail to disclose all features of claims 26-29, Applicant respectfully requests withdrawal of the rejection of claims 26-29 under 35 U.S.C. § 103(a).

VI. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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Applicant: Tyler, Joseph	**Art Unit:** 3629
Serial No.: 09/524,411	**Docket No.:** VSSI-0002
Filing Date: 03/13/2000	**Examiner:** Vig, Naresh

Title: ELECTRONIC PUBLISHING SYSTEM AND METHOD

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Washington, D.C. 20231

VERSION OF CLAIMS WITH MARKINGS TO SHOW THE CHANGES MADE

1. (Amended) An electronic publishing system, comprising:

a data collection interface for collecting user data from users of a plurality of websites;

a database for separately storing <u>the</u> collected user data for each website;

a publisher interface that allows a publisher for each website to create a message specification associated with the publisher's website, wherein the publisher interface includes:

a mechanism for selecting a template from a plurality of templates;

a mechanism for inputting information;

a mechanism for designating a recipient criteria;

a scheduling mechanism for establishing a delivery time; and

a message builder that accesses a server and generates a message for delivery to a targeted group of [website] users <u>of each website</u> based on the message specification created by the publisher <u>for each website</u>.

13. (Amended) A program product stored on a recordable media for electronically publishing information, comprising:

a system for separately storing user data collected from users of <u>each of</u> a plurality of websites;

a publishing system, wherein the publishing system allows a publisher of each website to create a message specification associated with the publisher's website, including:

a system for inputting information;

a system for selecting a template from a plurality of templates in which the information will be displayed;

a system for designating a recipient criteria; and

a system for designating a time of delivery.

17. (Amended) A computer system for electronically publishing information, comprising:

a processor;

a computer system memory;

an interface; and

a software product stored on the computer system memory and executable by the processor, wherein the software product comprises:

a system for separately storing user data collected from users of <u>each of</u> a plurality of websites;

a publishing system, wherein the publishing system allows a publisher of each website to create a message specification associated with the publisher's website, and includes:

a system for inputting information;

a system for selecting a template from a plurality of templates;

a system for designating a recipient criteria; and

a system for designating a time of delivery.

21. (Amended) A method of electronically publishing information, comprising the following

steps:

collecting user data from [a] users of a plurality of websites with a user data collection

interface;

separately storing the user data for each website in a database;

providing a publisher interface system, wherein a plurality of publishers can create a

message specification by:

inputting information, wherein the information includes story content and

advertisements;

selecting a template from a plurality of templates;

designating a recipient criteria; and

designating a time for delivery.

26. (Amended) A method for electronically publishing information, comprising the following steps:

accessing a detail window to designate message details, including:

selecting a time for delivery for the information;

selecting a template from a plurality of templates;

accessing a news window to input the information and designate news details, including:

selecting a title for the information;

entering story content into a text box; and

selecting a target recipient criteria[;] from demographic information collected from a group of possible recipients.